

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK GEORGE McALEESE

v.

EDWARD T. BRENNAN, et al.,

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CIVIL ACTION
NO. 02-2893

ORDER

AND NOW, this day of October, 2003, after consideration of the Petition for Writ of *Habeas Corpus* and the Amended Petition for Writ of *Habeas Corpus* and review of the Report and Recommendation of the United States Magistrate Judge Arnold C. Rapoport and Petitioner's objections thereto it is ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The Petition for Writ of *Habeas Corpus* is DENIED with prejudice.
3. There is no probable cause to issue a certificate of appealability.

THOMAS N. O'NEILL, JR., J.